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APPLICATION NO.	FILING D	DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/699,720	11/03/2003		Carl A. Caspers	55508-296715 3548		
25764	7590 07/21/2005			· EXAM	EXAMINER	
FAEGRE & BENSON LLP			SNOW, BRUCE EDWARD			
PATENT DO	CKETING					
2200 WELLS FARGO CENTER				ART UNIT	PAPER NUMBER	
MINNEAPO	LIS, MN 554	02		3738		
	,			5.05		

DATE MAILED: 07/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/699,720	CASPERS, CARL A.		
Examiner	Art Unit		
Bruce E. Snow	3738		

-The MAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 08 July 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following reples: (1) an amendment, affaidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.13.1, or (3) a Request for Confinued Examination (Rote) in compliance with 37 CFR 9.114. The reply must be filled within one of the following time periods: a) The period for reply expires	Before the Filing of an Appeal Brief	Examiner	Art Unit					
THE REPLY FILED <u>08 July 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALL OWANCE. 1. □ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of this application, applicant must timely file one of the following replies; (1) an amendment, affidavil, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Confinued Examination (RCE) in compliance with 37 CFR 41.14. The reply must be filed within one of the following time periods: a □ The period for reply expiresmonths from the mailing date of the final rejection. b) ☑ The period for reply expiresmonths from the mailing date of the final rejection. Examine Note: If but it is checked, thek either store, (a) or (b), ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have of the control of the period of the period of extension and the corresponding amount of the fee. The appropriate detersion fee have of filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 1.37(a), or 2) as self orth in 07 CFR 41.37(a), or 30 CFR 41.37(a), or any extension thereof (37 CFR 41.37) in a virile filed within the missing distribution of the fee. The appropriate extension fee have of filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 1.37(a), or any extension thereof (37 CFR 41.37(a), to a void dismissal of the appeal. Since a Notice of Appeal was filed on		Bruce E. Snow	3738					
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b) ∑ The period for reply expires on; (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: (1 box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS GF THE FINAL REJECTION. See MFEP 760 607(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the portpoints extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee mader 37 CFR 1.137(a) is calculated from: (1) the expiration date of the south of the final office action, or (2) as set forth in (b) because the final office action, or (2) as set forth in (b) because the final office action, or (2) as set forth in (b) because the final office action, or (2) as set forth in (b) because the final office action, or (2) as set forth in (b) because the final office action, or (2) as set forth in (b) because the final office action, or (2) as set forth in (b) because the final office action, or (2) as set forth in (b) because (a) [In the prize has been filed. Any replication of the state of filing the Notice of Appeal was filed on	The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the							
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B. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 13. Other:								
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Continuation of 3. NOTE: The term "indicator" is broader than that supported by the specification. Applicant deleted "vibratory" in claim 26 but failed in claim 29. Paragraph 0033 is ambiguous, please use page and line number. Regarding the art rejections, the Examiner's position is clearly stated in the grounds of rejection.